

PROJECT REVISION STATEMENT
Wildfoote Tentative Parcel Map (P23-00076-TPM)

I hereby revise Wildfoote Tentative Parcel Map (P23-00076-TPM) request to subdivide a 126.8-acre parcel into two (2) parcels, (Parcel one (1)) 85.8-acres and (Parcel two (2)) 41-acres located at APN: 032-530-019; St. Helena, CA 94574, to include the measures specified below:

MM BIO-1: Pre-Project Special-Status Plant Surveys: Prior to commencement of any construction, vegetation removal or earth-disturbing activities associated with future development projects on the newly created parcels, a floristic survey, during blooming season, of the development areas shall be conducted by a qualified biologist or botanist, for any special-status plant species. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>). Any special-status plants or populations found shall be mapped. To the fullest extent practicable, removal of special-status plants shall be avoided through adjustments to development area boundaries to avoid special-status plants/populations and provide them with a minimum 25-foot buffer. If impacts cannot be avoided, that project shall mitigate impacts at a minimum 3:1 mitigation to impact ratio through compensatory habitat, restoration, monitoring, and maintenance, or a combination thereof, following a plan approved in writing by CDFW. The plan may include preparing, funding, and implementing a long-term management plan in perpetuity.

Method of Monitoring: Prior to construction, vegetation removal or earth-disturbing activities of future development projects the applicant will provide to the Napa County Planning Division with the results of the floristic survey.

MM BIO-2: Pre-Project Special-Status Animal Surveys: A qualified biologist shall conduct a survey within 48 hours prior to the start of any construction, vegetation removal or earth-disturbing activity associated with future development on the newly created parcels, focusing on the presence of special-status animal species. The survey methodology shall be cleared with CDFW before implementation. If any special-status species are discovered during the survey, project activities shall not begin until CDFW has been consulted with regarding measures to avoid and minimize impacts on special-status species. Project applicants shall implement the avoidance and minimization measures if required by CDFW.

Method of Monitoring: Prior to construction, vegetation removal or earth-disturbing activities associated with any future development on the newly created parcels the applicant will provide to the Planning, Building and Environmental Services Department Planning Division the survey results.

MM BIO-3: Nesting Birds and Raptors: Applicants for future development on the newly created parcels shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

For construction, vegetation removal or earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct a survey for nesting birds within all suitable habitat in the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The survey shall be conducted no earlier than seven days prior to when construction, vegetation removal or earth-disturbing activities are to commence. Should those activities commence later than seven days from the survey date, the survey shall be repeated. A copy of the survey shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics,

project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the Napa County Planning Division and the USFWS and/or CDFW.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any construction, vegetation removal or earth-disturbing activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

Alternative methods aimed at flushing out nesting birds prior to surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: If construction, vegetation removal or earth-disturbing activities are to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.

MM BIO-4:

Bat Tree Habitat Assessment and Survey: Prior to commencement of any construction, vegetation removal or earth-disturbing activities associated with any future development on the newly created parcels that would remove trees, a qualified biologist shall conduct a habitat assessment for bats. A qualified biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to the beginning of Project activities.

For tree removal, the habitat assessment shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

Method of Monitoring: Prior to the issuance of permits for any construction, vegetation removal or earth-disturbing activities associated with future development projects on the newly created parcels the applicant will provide to the Napa County Planning Division the survey prepared by a qualified biologist.

MM BIO-5:

Oak Woodland Habitat Evaluation: Prior to commencement of any construction, vegetation removal or earth-disturbing activities associated with future development projects on the newly created parcels a qualified biologist shall evaluate if Oak Woodland habitat will be impacted by the project. The evaluation must be approved in writing by CDFW prior to project activities. Any permanently impacted Oak Woodland shall be mitigated through restoration of this habitat type at a minimum 2:1 mitigation to impact ratio for acreage impacted. Restoration shall occur on-site to the extent feasible. If off-site restoration is necessary, it shall be as close to the Project site as possible and within the same watershed, unless otherwise approved in writing by CDFW. Restoration shall occur in the same year as the impacts. The restoration area shall be monitored for a minimum of five years until success criteria are met.

Method of Monitoring: Prior to the issuance of permits for any construction, vegetation removal or earth-disturbing activities associated with future development projects on the newly created parcels the applicant will provide to the Napa County Planning Division confirmation of CDFW's review of the Oak Woodland Habitat

impact evaluation and if impacts were identified the associated restoration plan reviewed and approved by CDFW. Prior to permit final evidence of any restored acreage will be provided to the Napa County Planning Division.

Shafer Vineyards Inc. further commit themselves and successors-in-interest to (a) inform any future purchasers of the property of the above commitments; (b) include in all property leases a provision that informs the lessee of these restrictions and binds them to adhere to them, and (c) inform in writing all persons doing work on this property of these limitations.

Shafer Vineyards Inc. understands and explicitly agrees that with regards to all California Environmental Quality Act and Permit Streamlining Act (Government Code Sections 63920-63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date on which an executed copy of this project revision statement is received by the Napa County Department of Planning, Building and Environmental Services.

Shafer Vineyards Inc.
(Owner)

Date